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PTO/SB/50 (02-01)
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17513 U.S. PTO
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REISSUE PATENT APPLICATION TRANSMITTAL

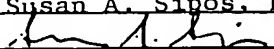
Address to: U.S. Patent and Trademark Office P.O. Box 2327 Arlington, Virginia 22202 Box Reissue	Attorney Docket No.	1001-13 RES
	First Named Inventor	Pacifico et al.
	Original Patent Number	6,251,478 B1
	Original Patent Issue Date (Month/Day/Year)	June 26, 2001
	Express Mail Label No.	EL 709116172 US

APPLICATION FOR REISSUE OF: ☒ **Utility Patent** ☐ **Design Patent** ☐ **Plant Patent**
(Check applicable box)

APPLICATION ELEMENTS (37 CFR 1.173)	ACCOMPANYING APPLICATION PARTS
1. <input checked="" type="checkbox"/> Fee Transmittal Form (PTO/SB/56) (Submit an original, and a duplicate for fee processing)	10. <input checked="" type="checkbox"/> Statement of status and support for all changes to the claims. See 37 CFR 1.173 (c).
2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.	11. <input type="checkbox"/> Original U.S. Patent for surrender <input type="checkbox"/> Ribboned Original Patent Grant <input type="checkbox"/> Statement of Loss (PTO/SB/55)
3. <input checked="" type="checkbox"/> Specification and Claims in double column copy of patent format (amended, if appropriate)	12. <input type="checkbox"/> Foreign Priority Claim (35 U.S.C. 119) (if applicable)
4. <input type="checkbox"/> Drawing(s) (proposed amendments, if appropriate)	13. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations
5. <input type="checkbox"/> Reissue Oath/Declaration (original or copy) (37 C.F.R. § 1.175) (PTO/SB/51 or 52)	14. <input type="checkbox"/> English Translation of Reissue Oath/Declaration (if applicable)
6. <input type="checkbox"/> Power of Attorney	15. <input checked="" type="checkbox"/> Preliminary Amendment
7. Original U.S. Patent currently assigned? <input type="checkbox"/> Yes <input type="checkbox"/> No (If Yes, check applicable box(es))	16. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
<input checked="" type="checkbox"/> Written Consent of all Assignees (PTO/SB/53)	17. Other:
<input checked="" type="checkbox"/> 37 C.F.R. § 3.73(b) Statement (PTO/SB/96)
8. <input type="checkbox"/> CD-ROM or CD-R in duplicate, Computer Program (Appendix) or large table
9. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all of the following are necessary)	
a. <input type="checkbox"/> Computer Readable Form (CFR)	
b. Specification Sequence Listing on: i <input type="checkbox"/> CD-ROM (2 copies) or CD-R (2 copies); or ii <input type="checkbox"/> paper	
c. <input type="checkbox"/> Statements verifying identity of above copies	

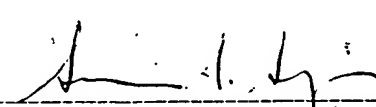
18. CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label		or <input type="checkbox"/> Correspondence address below	
(Insert Customer No. or Attach bar code label here)			
Name	HOFFMANN & BARON, L.L.P.		
Address	6900 Jericho Turnpike		
City	State	Zip Code	Fax
Syosset	New York	11791	516-822-3582
Country	Telephone		
U.S.A.	516-822-3550		

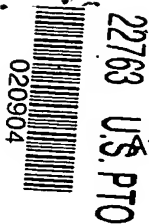
NAME (Print Type)	Susan A. Sipos, Esq.	Registration No. (Attorney/Agent)	43,128
Signature		Date	11-29-01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Reissue, Washington, DC 20231.

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REISSUE APPLICATION FEE TRANSMITTAL FORM						Docket Number (Optional) 1001-13 RES		
Claims as Filed - Part 1								
Claims in Patent		Number Filed in Reissue Application	(3) Number Extra	Small Entity		Other than a Small Entity		
				Rate	Fee	Rate	Fee	
(A) 20	Total Claims (37 CFR 1.16(i)) Independent claims (37 CFR 1.16(ii))	(B) 34	**** 14 =	x \$ _____ =	or	x \$18 =	252.00	
(C) 1		(D) 2	- 0 =	x \$ _____ =		x \$ 84 =	84.00	
Basic Fee (37 CFR 1.16(h))					\$ _____	\$740.00		
Total Filing Fee					\$ _____	OR \$1076.00		
Claims as Amended - Part 2								
	(1) Claims Remaining After Amendment		(2) Highest Number Previously Paid For	(3) Extra Claims Present	Small Entity		Other than a Small Entity	
					Rate	Fee	Rate	Fee
Total Claims (37 CFR 1.16(i))	***	MINUS	**	=	x \$ _____ =		x \$ _____ =	
Independent Claims (37 CFR 1.16(ii))	***	MINUS	*****	=	x \$ _____ =		x \$ _____ =	
Total Additional Fee					\$ _____	OR \$ _____		
<p>* If the entry in (D) is less than the entry in (C), Write "0" in column 3.</p> <p>** If the "Highest Number of Total Claims Previously Paid For" is less than 20, Write "20" in this space.</p> <p>*** After any cancellation of claims.</p> <p>**** If "A" is greater than 20, use (B - A); if "A" is 20 or less, use (B - 20).</p> <p>***** "Highest Number of Independent Claims Previously Paid For" or Number of Independent Claims in Patent (C).</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____. A duplicate copy of this sheet is enclosed.</p> <p><input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required, or credit any overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed.</p> <p><input type="checkbox"/> A check in the amount of \$ _____ to cover the filing / additional fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>								
<u>11-29-01</u> Date				 Signature of Applicant, Attorney or Agent of Record <u>Susan A. Sipos, Esq.</u> Typed or printed name				

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Attorney's Docket No. 1001-13 RES/DIV

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Reissue
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

NONPROVISIONAL PATENT APPLICATION TRANSMITTAL

Sir:

Transmitted herewith for filing is the patent application of:

First Named Inventor (or Inventors):

Pacifico et al.

Title of Application:

SENSITIVE SUBSTANCE ENCAPSULATION

1. Type of Application (37 C.F.R. 1.53(b))

This application is a(n):

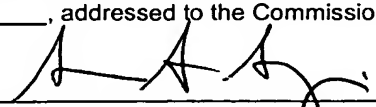
- ☐ Original (nonprovisional) application.
- ☒ Continuing application:
- ☒ Divisional ☐ Continuation ☐ Continuation-in-Part (CIP)

of Serial No. 09/996,636, filed on November 29, 2001.

CERTIFICATION UNDER 37 C.F.R. 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed herein are being deposited with the United States Postal Service on this date, February 9, 2004, in an envelope as "Express Mail to Addressee" Mailing Label Number EL 886460269 US, addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Susan A. Sipos
Name of person mailing paper


Signature of person mailing paper

(Application Transmittal Page 1 of 6)

Fee Calculation (37 C.F.R. 1.16)

Utility Application (37 C.F.R. 1.16(a))

Basic Fee \$740.00

FEES FOR CLAIMS AS FILED

Number filed	Number extra	Rate			
Total Claims (37 C.F.R. 1.16 (c))	28 - 20	= 8	x \$ 18.00	=	\$ 144.00
Independent Claims (37 C.F.R. 1.16(b))	4 - 3	= 1	x \$ 84.00	=	\$ 84.00
Multiple Dependent Claims (37 C.F.R. 1.16(d))		+ \$ 280.00		=	\$

Fee Calculation for Extra Claims \$ 228.00

- ☐ Amendment canceling extra claims enclosed.
- ☐ Amendment deleting multiple-dependencies enclosed.

Total Filing Fee Calculation \$ 968.00

10. Small Entity Statement

- ☒ Small entity status is claimed under 37 C.F.R. 1.27.

Filing Fee Calculation (50% of Filing Fee calculated in Item 9 above) \$ _____

11. Fee Payment

- ☒ Not enclosed. No filing fee is to be paid at this time.

☐ Enclosed:

- ☐ Basic filing fee (Item 9 or 10 above) \$ _____
- ☐ Fee for recording Assignment
\$40.00 (37 C.F.R. 1.21(h)) \$ _____
- ☐ Processing and retention fee
\$130.00 (37 C.F.R. 1.53(d) and 1.21(l)) \$ _____

Total fees enclosed \$ 0.00.

2. **Benefit of Prior U.S. Application(s) (35 U.S.C. 119(e), 120, or 121)**

- ☐ This new application claims the benefit of prior U.S. application(s).
- ☐ Please amend the specification by inserting, after the title, the following:
- ☐ "This application claims the benefit of U.S. Provisional Application No. _____, filed on _____."
- ☐ "This application is a
☐ continuation
☐ continuation-in-part
☐ divisional
of copending application
☐ Serial No. _____, filed on _____."
☐ International Application No. _____, filed on _____, and which
designated the U.S."
- ☒ A Preliminary Amendment is enclosed amending this application to state the
relation of this application to prior applications.
- ☐ The relation of this application to prior applications is stated in the application.

3. **35 U.S.C. 119(a)-(d) or 35 U.S.C. 365(a)-(b) Foreign Priority Claim for Prior Application**

This application, and prior U.S. application(s), including any prior International Application designating the U.S., identified above in item 2, claim(s) priority from one or more foreign applications as follows:

(Country)	(Application No.)	(Filing Date) (mm/dd/yyyy)

- ☐ Please amend the specification by inserting, after the title, the following:
- ☐ "The application claims priority from Application No. _____ filed on _____."

Certified copy(ies) of the application(s) from which priority under 35 U.S.C. 119 is claimed:

- ☐ has(have) been filed on _____, in prior application _____, which was filed on _____.
- ☐ is (are) enclosed.
- ☐ will follow.

4. **Enclosed Papers Required to Obtain Application Filing Date under 37 C.F.R. 1.53(b)**

Copy of U.S. Patent No. 6,251,478 in double-column format as required by 37 C.F.R. § 1.173(a)(1).

5. **Oath or Declaration**

- ☐ Newly executed Oath or Declaration (original or copy) is enclosed.
- ☐ Copy of Oath or Declaration from prior continuation or divisional application _____ (37 C.F.R. 1.63(d)).
 - ☐ The entire disclosure of the prior application, from which a copy of the oath or Declaration is supplied, is considered as being a part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ A Power of Attorney is included in the Oath or Declaration.
- ☐ Not enclosed.

6. **Additional Papers Enclosed**

- ☒ Return Receipt Postcard (specifically itemized) (M.P.E.P. § 503).
- ☐ Application Data Sheet (Voluntary under 37 C.F.R. 1.76).
- ☒ Preliminary Amendment.
- ☐ Information Disclosure Statement (37 C.F.R. 1.98).
(Copy from parent application)
 - ☐ Form PTO-1449
 - ☐ Copies of IDS Citations
- ☐ Nucleotide and/or Amino Acid Sequence Listing computer-readable copy, paper copy, and statement verifying identity of computer-readable and paper copies.
- ☐ Certified Copy of Priority Document(s).
- ☐ Verified translation of non-English language application (37 C.F.R. 1.52(d)).
- ☐ Other: From parent application (United States Patent No. 09/996,636):
Copy of Consent of Assignee to Reissue Pursuant to 37 C.F.R. §1.172(a);
Copy of Statement Under 37 C.F.R. §3.73(b); and
Copy of Reissue Patent Application Transmittal Form
~~Copy of IDS and Form~~

7. Assignment

- ☒ An assignment of the invention to ____.
- ☐ is enclosed. A separate:
- ☐ "Cover Sheet for Assignment (Document) Accompanying New Patent Application" is enclosed.
- ☐ Form PTO-1595 is enclosed.
- ☒ was made in prior application No. 09/996,636, filed on November 29, 2001.
- ☐ A copy of the assignment (and any recordation cover sheet) is enclosed.
- ☒ will follow.
- ☐ Not enclosed.

8. Request That Application Not Be Published Pursuant to 35 U.S.C. 122(b)(2)

- ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant(s) hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

12. Method of Payment of Fees

- ☐ Check in the amount of \$_____.
- ☐ Charge Deposit Account No. _____ in the amount of \$_____.
A duplicate of this transmittal is enclosed.

13. Authorization to Charge Additional Fees

- ☐ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Deposit Account No. _____:
- ☐ 37 C.F.R. 1.16(a), (f), or (g) (filing fees)
- ☐ 37 C.F.R. 1.16(b), (c), and (d) (presentation of extra claims)
- ☐ 37 C.F.R. 1.16(e) (surcharge for filing the basic fee and/or declaration at a date later than the filing date of the application)
- ☐ 37 C.F.R. 1.17 (application processing fees)

A duplicate of this transmittal is enclosed.

14. Instructions as to Overpayment

- ☐ Credit Deposit Account 08-2461. ☐ Refund.


15. Correspondence Address

- ☒ Customer Number or Bar Code Label: 23869

Please address all correspondence to:

Ronald J. Baron, Esq.
HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791

Telephone: 516-822-3550
Fax: 516-822-3582



Susan A. Sipos
Registration No. 43,128
Attorney/Agent for Applicant(s)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentees: Pacifico, et al.

Docket: 1001-13 RES

Original Patent No.: 6,251,478 B1

Date: November 21, 2001

Original Patent Issue Date: June 26, 2001

For: SENSITIVE SUBSTANCE
ENCAPSULATION

Assistant Commissioner for Patents
Washington, DC 20231

CONSENT OF ASSIGNEE TO REISSUE PATENT
PURSUANT TO 37 C.F.R. §1.172(a)

Sir:

Balchem Corporation, Assignee of United States Patent No. 6,251,478 B1, consents to
the filing of the present application for the reissue of United States Patent No. 6,251,478 B1.

Date: Nov 21, 2001

By: Patricia Siuta-Cruce

Patricia Siuta-Cruce
Vice-President, Technology
Balchem Corporation

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